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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/892,965	06/27/2001	Rick A. Hamilton II	AUS920010551US1	3809

7590 12/07/2004

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EXAMINER

YOUNG, JOHN L

ART UNIT	PAPER NUMBER
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3622

DATE MAILED: 12/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/892,965

Applicant(s)

HAMILTON, RICK A.

Examiner

John L Young

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

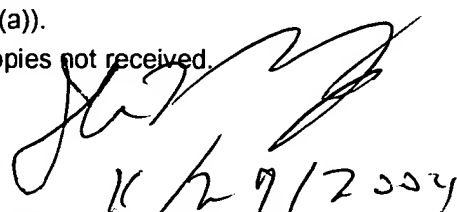
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 11/29/2004.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

JOHN LEONARD YOUNG, ESQ.
PRIMARY EXAMINER


11/29/2004

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NON-FINAL REJECTION

(Paper#11/29/2004)

DRAWINGS

1. This application has been filed with drawings that are considered informal; however, said drawings are acceptable for examination and publication purposes. The review process for drawings that are included with applications on filing has been modified in view of the new requirement to publish applications at eighteen months after the filing date of applications, or any priority date claimed under 35 U.S.C. §§119, 120, 121, or 365.

CLAIM REJECTIONS — 35 U.S.C. §101

35 U.S.C. §101 reads as follows:

Whoever invents or discovers any new and useful
process, machine, manufacture, or composition of matter or
any new and useful improvement thereof, may obtain a
patent therefore, subject to the conditions and requirements
of this title.

2. Claims 1-18 are rejected under 35 U.S.C. 101, because said claim is directed to non-statutory subject matter.

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As per claims 1-18, as drafted said claims are not limited by language within the technological arts (see *In re Waldbaum*, 173 USPQ 430 (CCPA 1972); *In re Musgrave*, 167 USPQ 280 (CCPA 1970) and *In re Johnston*, 183 USPQ 172 (CCPA 1974) also see MPEP 2106 IV 2(b), even though said claim is limited by language to a useful, concrete and tangible application (See *State Street v. Signature financial Group*, 149 F.3d at 1374-75, 47 USPQ 2d at 1602 (Fed Cir. 1998); *AT&T Corp. v. Excel*, 50 USPQ 2d 1447, 1452 (Fed. Cir. 1999).

Note: it is well settled in the law that "[although] a claim should be interpreted in light of the specification disclosure, it is generally considered improper to read limitations contained in the specification into the claims. See *In re Prater*, 415, F.2d 1393, 162 USPQ 541 (CCPA 1969) and *In re Winkhaus*, 527 F.2d 637, 188 USPQ 129 (CCPA 1975), which discuss the premise that one cannot rely on the specification to impart limitations to the claims that are not recited in the claims." (See MPEP 2173.05(q)).

CLAIM REJECTION — 35 U.S.C. §103(a)

The following is a quotation of 35 U.S.C. §103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set

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forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-21 are rejected under 35 U.S.C. §103(a) as being unpatentable over Shida US 2002/0087396; class 705/14, (Jul. 4, 2002) [US f/d: 12/27/2000] (herein referred to as ("Shida").

As per claim 1, Shida (the ABSTRACT; FIG. 1; FIG. 2; FIG. 3; FIG. 4; FIG. 5; FIG. 6; FIG. 7; FIG. 8; FIG. 9; FIG. 10; FIG. 11; FIG. 12; ¶¶[0003]; [0004]; [007]; [0010]; [0014]; [0015]; [0016]; [0017]; [0018]; [0019]; [0020]; [0021]; [0039]; [0040]; [0041]; [0042]; [0045]; [0047]; [0048]; [0051]; [0054]; [0055]; [0058]; [0060]; [0061]; [0070]; [0071]; [0078]; [0079]; [0086]; [0094]; [0095]; [0102]; [0107]; [0108]; [0112]; and [0114]; and whole document) implicitly shows: "A method of providing awards to a customer comprising: receiving an award request; determining if the customer has a number of points to meet a predetermined number of points corresponding to the award request; and

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authorizing a points overdraft if the customer has less than the predetermined number of points.”

Shida (§§[0086]; [0107]; [0070]; [0071]; and [0078]) discloses: “*the point use ticket STP can be assigned to anyone, who can use the point use ticket STP or assign it to anyone freely in the same was as the original owner.*”

Shida (§[0045]) discloses: “*records the customer ID, the login ID and the number of points for the reservation service.*”

The Examiner interprets these disclosures as implicitly showing: “authorizing a points overdraft if the customer has less than the predetermined number of points.”

Shida lacks an explicit recital of: “authorizing a points overdraft if the customer has less than the predetermined number of points.”

It would have been obvious to one of ordinary skill in the art at the time of the invention that the above cited disclosure of Shida at least at (§§[0086]; [0107]; [0070]; [0071]; [0078]; and [0045]) as well as the discloses of Shida (the ABSTRACT; FIG. 1; FIG. 2; FIG. 3; FIG. 4; FIG. 5; FIG. 6; FIG. 7; FIG. 8; FIG. 9; FIG. 10; FIG. 11; FIG. 12; §§[0003]; [0004]; [007]; [0010]; [0014]; [0015]; [0016]; [0017]; [0018]; [0019]; [0020]; [0021]; [0039]; [0040]; [0041]; [0042]; [0045]; [0047]; [0048]; [0051]; [0054]; [0055]; [0058]; [0060]; [0061]; [0070]; [0071]; [0078]; [0079]; [0086]; [0094]; [0095]; [0102]; [0107]; [0108]; [0112];

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and [0114]; and whole document) implicitly shows “authorizing a points overdraft if the customer has less than the predetermined number of points. . . .”

and it would have been obvious to modify and interpret the disclosure of Shida cited above as implicitly showing “authorizing a points overdraft if the customer has less than the predetermined number of points. . . .”, because modification and interpretation of the cited disclosure of Shida would have provided means where “*circulation of . . . points can be promoted. . . .*” (see Shida (§[0104]), based on the motivation to modify Shida so “*the point use ticket STP can handle points in the same way as cash so that . . . the value of using the points is improved. . . .*” (see Shida (§[0108])).

As per claim 2, Shida shows the method of claim 1.

Shida (the ABSTRACT; FIG. 1; FIG. 2; FIG. 3; FIG. 4; FIG. 5; FIG. 6; FIG. 7; FIG. 8; FIG. 9; FIG. 10; FIG. 11; FIG. 12; ¶¶[0003]; [0004]; [007]; [0010]; [0014]; [0015]; [0016]; [0017]; [0018]; [0019]; [0020]; [0021]; [0039]; [0040]; [0041]; [0042]; [0045]; [0047]; [0048]; [0051]; [0054]; [0055]; [0058]; [0060]; [0061]; [0070]; [0071]; [0078]; [0079]; [0086]; [0094]; [0095]; [0102]; [0107]; [0108]; [0112]; and [0114]; and whole document) implicitly shows “determining if the customer has accrued a number of points equal or greater than the points overdraft. . . .”

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Shida lacks explicit verbatim recitation of “determining if the customer has accrued a number of points equal or greater than the points overdraft after a predetermined time period has elapsed. . . .”, even though the disclosure of Shida cited above reasonably and implicitly shows same.

It would have been obvious to one of ordinary skill in the art at the time of the invention that the above cited disclosure of Shida at least at (§§[0079]; and [0095]) as well as Shida (the ABSTRACT; FIG. 1; FIG. 2; FIG. 3; FIG. 4; FIG. 5; FIG. 6; FIG. 7; FIG. 8; FIG. 9; FIG. 10; FIG. 11; FIG. 12; §§[0003]; [0004]; [007]; [0010]; [0014]; [0015]; [0016]; [0017]; [0018]; [0019]; [0020]; [0021]; [0039]; [0040]; [0041]; [0042]; [0045]; [0047]; [0048]; [0051]; [0054]; [0055]; [0058]; [0060]; [0061]; [0070]; [0071]; [0078]; [0079]; [0086]; [0094]; [0095]; [0102]; [0107]; [0108]; [0112]; and [0114]; and whole document) implicitly shows “determining if the customer has accrued a number of points equal or greater than the points overdraft after a predetermined time period has elapsed. . . .”, and it would have been obvious to modify and interpret the disclosure of Shida cited above as implicitly showing of “determining if the customer has accrued a number of points equal or greater than the points overdraft after a predetermined time period has elapsed. . . .”, because modification and interpretation of the cited disclosure of Shida would have provided means where “*circulation of . . . points can be promoted. . . .*” (see Shida (§[0104]), based on the motivation to modify

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Shida so “the point use ticket STP can handle points in the same way as cash so that . . . the value of using the points is improved. . . .” (see Shida (¶[0108]).

As per claim 3, Shida shows the method of claim 2.

Shida (the ABSTRACT; FIG. 1; FIG. 2; FIG. 3; FIG. 4; FIG. 5; FIG. 6; FIG. 7; FIG. 8; FIG. 9; FIG. 10; FIG. 11; FIG. 12; ¶¶[0003]; [0004]; [007]; [0010]; [0014]; [0015]; [0016]; [0017]; [0018]; [0019]; [0020]; [0021]; [0039]; [0040]; [0041]; [0042]; [0045]; [0047]; [0048]; [0051]; [0054]; [0055]; [0058]; [0060]; [0061]; [0070]; [0071]; [0078]; [0079]; [0086]; [0094]; [0095]; [0102]; [0107]; [0108]; [0112]; and [0114]; and whole document) implicitly shows “wherein the time period is a range of about one day to about one year. . . .”

Shida lacks explicit recitation of “wherein the time period is a range of about one day to about one year. . . .”, even though the disclosure of Shida cited above reasonably and implicitly shows same.

Official Notice is taken that both the concepts and the advantages of “wherein the time period is a range of about one day to about one year. . . .” were notoriously well known and expected in the art at the time of the invention because it would have been obvious to modify and interpret the disclosure of Shida cited above as implicitly showing of “wherein the time period is a range of about one day to about one year. . . .” because modification and interpretation of the cited

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disclosure of Shida would have provided means where “*circulation of . . . points can be promoted. . . .*” (see Shida (§[0104]), based on the motivation to modify Shida so “*the point use ticket STP can handle points in the same way as cash so that . . . the value of using the points is improved. . . .*” (see Shida (§[0108])).

As per claims 4-6, Shida shows the methods of claims 2 & 4 respectively.

Shida (the ABSTRACT; FIG. 1; FIG. 2; FIG. 3; FIG. 4; FIG. 5; FIG. 6; FIG. 7; FIG. 8; FIG. 9; FIG. 10; FIG. 11; FIG. 12; ¶[0003]; [0004]; [007]; [0010]; [0014]; [0015]; [0016]; [0017]; [0018]; [0019]; [0020]; [0021]; [0039]; [0040]; [0041]; [0042]; [0045]; [0047]; [0048]; [0051]; [0054]; [0055]; [0058]; [0060]; [0061]; [0070]; [0071]; [0078]; [0079]; [0086]; [0094]; [0095]; [0102]; [0107]; [0108]; [0112]; and [0114]; and whole document) implicitly shows [per claim 4] “imposing a financial penalty on the customer if the customer has accrued less than the points overdraft on expiration of the predetermined time period. . . . wherein the time period is a range of about one day to about one year. . . .”; [per claim 5] “the financial penalty includes charging the customer for the price of the award. . . .”; and [per claim 6] “the financial penalty includes charging the customer interest based on the price of the award. . . .”

Shida lacks explicit recitation of [per claim 4] “imposing a financial penalty on the customer if the customer has accrued less than the points overdraft on

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expiration of the predetermined time period. . . . wherein the time period is a range of about one day to about one year. . . .”; [per claim 5] “the financial penalty includes charging the customer for the price of the award. . . .”; and [per claim 6] “the financial penalty includes charging the customer interest based on the price of the award. . . .”

Official Notice is taken that both the concepts and the advantages of [per claim 4] “imposing a financial penalty on the customer if the customer has accrued less than the points overdraft on expiration of the predetermined time period. . . . wherein the time period is a range of about one day to about one year. . . .”; [per claim 5] “the financial penalty includes charging the customer for the price of the award. . . .”; and [per claim 6] “the financial penalty includes charging the customer interest based on the price of the award. . . .” were notoriously well known and expected in the art at the time of the invention because it would have been obvious to modify and interpret the disclosure of Shida cited above as implicitly showing [per claim 4] “imposing a financial penalty on the customer if the customer has accrued less than the points overdraft on expiration of the predetermined time period. . . . wherein the time period is a range of about one day to about one year. . . .”; [per claim 5] “the financial penalty includes charging the customer for the price of the award. . . .”; and [per claim 6] “the financial penalty includes charging the customer interest based on the price of the award. . . .”

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because modification and interpretation of the cited disclosure of Shida would have provided incentives where *“circulation of . . . points can be promoted. . . .”* (see Shida (¶[0104]), based on the motivation to modify Shida so *“the point use ticket STP can handle points in the same way as cash so that . . . the value of using the points is improved. . . .”* (see Shida (¶[0108])).

As per claim 7, Shida shows the method of claim 4.

Shida (the ABSTRACT; FIG. 1; FIG. 2; FIG. 3; FIG. 4; FIG. 5; FIG. 6; FIG. 7; FIG. 8; FIG. 9; FIG. 10; FIG. 11; FIG. 12; ¶¶[0003]; [0004]; [007]; [0010]; [0014]; [0015]; [0016]; [0017]; [0018]; [0019]; [0020]; [0021]; [0039]; [0040]; [0041]; [0042]; [0045]; [0047]; [0048]; [0051]; [0054]; [0055]; [0058]; [0060]; [0061]; [0070]; [0071]; [0078]; [0079]; [0086]; [0094]; [0095]; [0102]; [0107]; [0108]; [0112]; and [0114]; and whole document) implicitly shows “wherein the authorization of the rewards overdraft is based on customer criteria. . . .”

Shida lacks explicit recitation of “wherein the authorization of the rewards overdraft is based on customer criteria. . . .”, even though the disclosure of Shida cited above reasonably and implicitly shows same.

It would have been obvious to one of ordinary skill in the art at the time of the invention that the above cited disclosure of Shida at least at (¶¶[0079]; and

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[0095]) as well as Shida (the ABSTRACT; FIG. 1; FIG. 2; FIG. 3; FIG. 4; FIG. 5; FIG. 6; FIG. 7; FIG. 8; FIG. 9; FIG. 10; FIG. 11; FIG. 12; ¶¶[0003]; [0004]; [007]; [0010]; [0014]; [0015]; [0016]; [0017]; [0018]; [0019]; [0020]; [0021]; [0039]; [0040]; [0041]; [0042]; [0045]; [0047]; [0048]; [0051]; [0054]; [0055]; [0058]; [0060]; [0061]; [0070]; [0071]; [0078]; [0079]; [0086]; [0094]; [0095]; [0102]; [0107]; [0108]; [0112]; and [0114]; and whole document) implicitly shows “wherein the authorization of the rewards overdraft is based on customer criteria. . . .”, and it would have been obvious to modify and interpret the disclosure of Shida cited above as implicitly showing of “wherein the authorization of the rewards overdraft is based on customer criteria. . . .”, because modification and interpretation of the cited disclosure of Shida would have provided means where “*circulation of . . . points can be promoted. . . .*” (see Shida (¶[0104]), based on the motivation to modify Shida so “*the point use ticket STP can handle points in the same way as cash so that . . . the value of using the points is improved. . . .*” (see Shida (¶[0108])).

As per claim 8, Shida shows the method of claim 7.

Shida (the ABSTRACT; FIG. 1; FIG. 2; FIG. 3; FIG. 4; FIG. 5; FIG. 6; FIG. 7; FIG. 8; FIG. 9; FIG. 10; FIG. 11; FIG. 12; ¶¶[0055]; [0003]; [0004]; [007]; [0010]; [0014]; [0015]; [0016]; [0017]; [0018]; [0019]; [0020]; [0021];

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[0039]; [0040]; [0041]; [0042]; [0045]; [0047]; [0048]; [0051]; [0054]; [0058]; [0060]; [0061]; [0070]; [0071]; [0078]; [0079]; [0086]; [0094]; [0095]; [0102]; [0107]; [0108]; [0112]; and [0114]; and whole document) implicitly shows “wherein the customer criteria includes a customer authorization to debit a financial instrument. . . .” The Examiner interprets the claimed financial instrument as including a credit card.

Shida lacks explicit recitation of “authorization to debit a financial instrument. . . .”

Official Notice is taken that both the concepts and the advantages of “authorization to debit a financial instrument. . . .” (i.e., a financial such as a credit card) were notoriously well known and expected in the art at the time of the invention because it would have been obvious to modify and interpret the disclosure of Shida cited above as implicitly showing “authorization to debit a financial instrument. . . .” because modification and interpretation of the cited disclosure of Shida would have provided means where “*circulation of . . . points can be promoted. . . .*” (see Shida (¶[0104]), based on the motivation to modify Shida so “*the point use ticket STP can handle points in the same way as cash so that . . . the value of using the points is improved. . . .*” (see Shida (¶[0108])).

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As per claim 9, Shida shows the method of claim 7.

Shida (the ABSTRACT; FIG. 1; FIG. 2; FIG. 3; FIG. 4; FIG. 5; FIG. 6; FIG. 7; FIG. 8; FIG. 9; FIG. 10; FIG. 11; FIG. 12; ¶¶[0050]; [0051]; [0052]; [0003]; [0004]; [007]; [0010]; [0014]; [0015]; [0016]; [0017]; [0018]; [0019]; [0020]; [0021]; [0039]; [0040]; [0041]; [0042]; [0045]; [0047]; [0048]; [0054]; [0055]; [0058]; [0060]; [0061]; [0070]; [0071]; [0078]; [0079]; [0086]; [0094]; [0095]; [0102]; [0107]; [0108]; [0112]; and [0114]; and whole document) implicitly shows “wherein the customer criteria includes a frequency of customer patronage. . . .”

Shida (¶¶[0050]; and [0051]) discloses: “*the management database . . . records the . . . date and time when the point use-ticket was used. . . .*”

The Examiner interprets this disclosure as implicitly showing “wherein the customer criteria includes a frequency of customer patronage. . . .”

Shida lacks explicit recitation of “wherein the customer criteria includes a frequency of customer patronage. . . .”, even though the disclosure of Shida cited above reasonably and implicitly shows same.

It would have been obvious to one of ordinary skill in the art at the time of the invention that the above cited disclosure of Shida (the ABSTRACT; FIG. 1; FIG. 2; FIG. 3; FIG. 4; FIG. 5; FIG. 6; FIG. 7; FIG. 8; FIG. 9; FIG. 10; FIG. 11; FIG. 12; ¶¶[0050]; [0051]; [0052]; [0003]; [0004]; [007]; [0010]; [0014]; [0015];

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[0016]; [0017]; [0018]; [0019]; [0020]; [0021]; [0039]; [0040]; [0041]; [0042]; [0045]; [0047]; [0048]; [0054]; [0055]; [0058]; [0060]; [0061]; [0070]; [0071]; [0078]; [0079]; [0086]; [0094]; [0095]; [0102]; [0107]; [0108]; [0112]; and [0114]; and whole document) implicitly shows “wherein the customer criteria includes a frequency of customer patronage. . . .”, and it would have been obvious to modify and interpret the disclosure of Shida cited above as implicitly showing of “wherein the customer criteria includes a frequency of customer patronage. . . .”, because modification and interpretation of the cited disclosure of Shida would have provided means where “*circulation of . . . points can be promoted. . . .*” (see Shida (§[0104])), based on the motivation to modify Shida so “*the point use ticket STP can handle points in the same way as cash so that . . . the value of using the points is improved. . . .*” (see Shida (§[0108])).

Independent claim 10 is rejected for substantially the same reasons as independent claim 1.

Dependent claim 11 is rejected for substantially the same reasons as dependent claim 2.

Dependent claim 12 is rejected for substantially the same reasons as

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dependent claim 3.

Dependent claim 13 is rejected for substantially the same reasons as dependent claim 4.

Dependent claim 14 is rejected for substantially the same reasons as dependent claim 5.

Dependent claim 15 is rejected for substantially the same reasons as dependent claim 6.

Dependent claim 16 is rejected for substantially the same reasons as dependent claim 7.

Dependent claim 17 is rejected for substantially the same reasons as dependent claim 8.

Dependent claim 18 is rejected for substantially the same reasons as dependent claim 9.

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Independent claim 19 is rejected for substantially the same reasons as independent claim 1.

Dependent claim 20 is rejected for substantially the same reasons as dependent claim 2.

Dependent claim 21 is rejected for substantially the same reasons as dependent claim 4.

CONCLUSION

4. Any response to this action should be mailed to:

Commissioner for Patents

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Any response to this action may be sent via facsimile to either:

(703) 746-7239 or (703) 872-9314 (for formal communications EXPEDITED PROCEDURE) or

(703) 746-7239 (for formal communications marked AFTER-FINAL) or

(703) 746-7240 (for informal communications marked PROPOSED or DRAFT).

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Hand delivered responses may be brought to:

Seventh floor Receptionist
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to John L. Young who may be reached via telephone at (703) 305-3801. The examiner can normally be reached Monday through Friday between 8:30 A.M. and 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric Stamber, may be reached at (703) 305-8469.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.



John L. Young

Primary Patent Examiner

JOHN LEONARD YOUNG, ESQ.
PRIMARY EXAMINER

November 29, 2004